

Michael J. Song, CA Bar No. 243675
msong@perkinscoie.com
PERKINS COIE LLP
1888 Century Park East, Suite 1700
Los Angeles, CA 90067-1721
Telephone: 310.788.9900
Facsimile: 310.788.3399

Ramsey M. Al-Salam (admitted *pro hac vice*)
ralsalam@perkinscoie.com
PERKINS COIE LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Attorneys for **NMC Group, Inc.**

Joseph E. Mueth, CA Bar No. 35114
jmueth@josephemueth.com
JOSEPH E. MUETH LAW CORPORATION
100 Corson Street Suite 300
Pasadena, CA 91103-3842
Telephone: 626.584.0396
Facsimile: 626.584.6862

E-FILED 11/01/2012
JS-6

Attorneys for **The Young Engineers, Inc.**

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

NMC GROUP, INC.,
Plaintiff,

v.

THE YOUNG ENGINEERS, INC.,
Defendant.

Case No. 2:11-cv-04280-GHK-JC

**[~~PROPOSED~~] ORDER RE: STIPULATED
PERMANENT INJUNCTION AND
DISMISSAL WITH PREJUDICE**

Hon. George H. King

AND RELATED COUNTERCLAIMS

NOTE CHANGES MADE BY THE COURT

1 This case having come before this Court, and it being represented to the
2 Court that Plaintiff NMC Group, Inc. ("NMC") and Defendant The Young
3 Engineers, Inc. ("TYE") have compromised and settled the matters in dispute. IT IS
4 HEREBY ORDERED, ADJUDICATED and DECREED as follows: as between the settling parties

5 **PERMANENT INJUNCTION ORDER**

6 Having considered the STIPULATION of the parties, and for good cause
7 shown, IT IS HEREBY ORDERED THAT:

8 1. NMC is a corporation organized and existing under the laws of the
9 State of California, having its principal place of business at 2755 Thompson Creek
10 Road, Pomona, California 91767.

11 2. TYE is a corporation organized and existing under the laws of the State
12 of California, having its principal place of business at 25841 Commercentre Drive,
13 Lake Forest, California 92630.

14 3. This Court has jurisdiction over the parties and the subject matter of
15 the Lawsuit.

16 4. Pursuant to 35 U.S.C. § 283, as of the date of this Court's Order, TYE
17 and any of its employees, agents, representatives, subsidiaries, directors, principals,
18 officers, successors, and assigns, and all others acting in concert or participation
19 with such persons, **SHALL BE PERMANENTLY ENJOINED AND**
20 **RESTRAINED** from infringing U.S. Patent No. 7,802,953 (the "953 patent")
21 including from all unauthorized manufacturing, marketing, advertising, using,
22 offering for sale, and selling in the United States, and importing into the United
23 States, Enjoined Products as defined by this Order. The term "Enjoined Products"
24 means TYE4036 Series Inserts sold under the product designations TYE4036BC08-
25 10, TYE4036BC3-10, TYE4036BC3-20, and TYE4036B3-14, and any inset panel
26 fasteners that are not colorably different from the identified TYE4036 Series
27 Inserts. The term "Enjoined Products" does not include TYE4036 Series Inserts
28 that have an all-metal or all-plastic female thread.

1 5. This Order shall be dissolved if there is a final non-appealable
2 judgment finding all claims of the '953 patent invalid or unenforceable.

3 6. This Court shall retain jurisdiction of this action to the extent necessary
4 to ensure full compliance with all obligations imposed by the Permanent Injunction
5 Order, including the enforcement of this Stipulated Permanent Injunction by way of
6 contempt or otherwise.

7 7. This is a final judgment. Subject to this Court's limited retention of
8 jurisdiction as set forth above, all claims and counterclaims filed in this action
9 **SHALL BE DISMISSED WITH PREJUDICE WITH EACH PARTY TO**
10 **BEAR ITS OWN FEES AND COSTS.**

11 **SO ORDERED.**

12
13
14 Dated: 10/31/12



Hon. George H. King

United States District Judge